

Members

Sen. Allen Paul, Chairperson
Sen. Thomas Wyss
Sen. William Alexa
Sen. Allie Craycraft
Rep. Ben GiaQuinta
Rep. Claire Leuck
Rep. Robert Alderman
Rep. James Atterholt
John Dahman
Terry Smith
David Miller
James Brown



COMMISSION ON MILITARY AND VETERANS AFFAIRS

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Peggy Piety, Attorney for the Commission
Robert Sigalow, Fiscal Analyst for the
Commission

Authority: IC 2-5-20

MEETING MINUTES¹

Meeting Date: October 30, 2001
Meeting Time: 1:30 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 130
Meeting City: Indianapolis, Indiana
Meeting Number: 3

Members Present: Sen. Allen Paul, Chairperson; Sen. Allie Craycraft; Rep. Ben GiaQuinta; Rep. James Atterholt; John Dahman; Terry Smith; David Miller; James Brown.

Members Absent: Sen. Thomas Wyss; Sen. William Alexa; Rep. Claire Leuck; Rep. Robert Alderman.

Senator Paul, Chairperson of the Commission, called the meeting to order at 1:35 p.m.

A fiscal note for the bill draft (PD 3206) approved at the Commission's last meeting was distributed (Exhibit A). PD 3206 would increase the Indiana state income tax deduction for military pay from \$2,000 to \$6,000.

Remission of state educational institutions' tuition and fees

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Bill Jackson, Director of the Indiana Department of Veterans Affairs, presented PD 3411 (Exhibit B). PD 3411 would amend IC 20-12-19-1 to extend the state's fee remission program to the children of veterans who serve in the armed forces of the United States during any war or hazardous duty recognized by the award of a service or campaign medal of the United States. Under current law, the service or performance of duty must occur before July 1, 1999.

Senator Craycraft made a motion, seconded by Representative GiaQuinta, to recommend the introduction of PD3411. The motion passed by a vote of 8-0.

Superintendent of the Indiana Soldiers' and Sailors' Children's Home

Senator Paul explained that PD 3414 (Exhibit C) would amend IC 16-33-4-7 by: (1) eliminating the requirement that the superintendent of the Soldiers' and Sailors' Children's Home be an honorably discharged veteran; and (2) establishing a preference for the appointment of an honorably discharged veteran as the superintendent when at least two candidates otherwise meet the requirements for appointment. Mr. Jackson reported that the American Legion supports this change.

Representative GiaQuinta made a motion, seconded by Mr. Smith, to recommend the introduction of PD 3414. The motion passed by a vote of 8-0.

Resolution concerning Hoosier employers' support for employees serving in the reserves or the National Guard

Senator Paul presented the proposed concurrent resolution urging Indiana employers to support employees serving in reserve units and in the National Guard (Exhibit D).

Senator Craycraft made a motion, seconded by Mr. Dahman, to recommend the introduction of the resolution. The motion passed by a vote of 8-0.

Resolution concerning the Pledge of Allegiance in schools

Senator Paul described the proposed concurrent resolution encouraging the public schools in Indiana to teach the Pledge of Allegiance and to conduct Pledge ceremonies. (Exhibit E)

Representative GiaQuinta spoke in favor of the resolution saying that it is appropriate in these times.

Donald Peek representing the Disabled American Veterans (DAV) stated support for a mandatory Pledge ceremony in the public schools. The DAV prefers a bill mandating schools to conduct Pledge ceremonies rather than just "encouraging" them to do so. Senator Craycraft reported that a bill requiring Pledge ceremonies in the public schools is being prepared for the upcoming legislative session. He said that the bill will address the constitutional issues involved with a mandatory ceremony.

Mr. Smith made a motion, seconded by Representative GiaQuinta, to recommend the introduction of the resolution. The motion passed by a vote of 8-0.

Resolution concerning the naming of the new Indianapolis Airport terminal for Weir Cook

Representative Atterholt reported that, after the Commission's last meeting, he contacted the Indianapolis Airport Authority about the proposed concurrent resolution (Exhibit F). The Authority is sensitive to this issue, but wants flexibility to name another part of the new

terminal complex for Mr. Cook, for example, the entrance boulevard. Mr Atterholt offered an amendment to the proposed resolution to allow the Authority to name the terminal "or part of the new complex" for Weir Cook. The Commission accepted the amendment by consent.

Joe Ryan representing The Retired Officers Association stated strong support for the resolution. He testified that naming part of the new airport complex for Mr. Cook is an opportunity to honor a true hero.

Joe Duray, Chairman of the Indiana Military and Veterans Coalition, thanked Representative Atterholt for checking with the Authority and stated that he called the Indianapolis airport's director of public relations and was given the same information as Representative Atterholt.

Representative Atterholt made a motion, seconded by Senator Craycraft, to recommend the introduction of the resolution as amended. The motion passed 8-0.

Wheelchair logo on disabled veterans' license plates

Mr. Jackson reported that the Bureau of Motor Vehicles had contacted him about amending the Indiana Code to add a wheelchair logo to disabled veterans' (DAV) license plates. He described the current categories of DAV plates and provided examples of confusion resulting from the lack of the wheelchair logo on the plates. He stated that veterans with DAV plates have been ticketed for parking in handicapped spaces, because local law enforcement officers do not recognize the plate and think it is a personalized plate. He also testified that the state should save money by making the change, because it would no longer need to issue placards to disabled veterans with DAV plates. He asked whether it was too late for the Commission to consider this issue.

Senator Paul responded that it was not too late to consider this change and that he could be the author for the bill.

Senator Craycraft suggested that he also would like to be an author for the bill. He discussed other states' veterans' plates that include information such as the veteran's branch of service.

Representative GiaQuinta asked about the cost of the change. Mr. Jackson said that the cost is unknown at this time.

Mr. Peek stated that the DAV supports the legislative change. He recounted examples of DAV veterans' experiences with the current plate. He suggested that, as a cost saving measure, the wheelchair logo be applied as a sticker to the current DAV plates.

Senator Craycraft made a motion, seconded by Mr. Dahman, to recommend that legislation be prepared for introduction that would add the wheelchair logo to DAV plates. The motion passed by a vote of 8-0.

Senator Paul requested that the Bureau of Motor Vehicles attend and testify when the bill is heard during the legislative session.

Other business

Mr. Jackson reported that he had received an inquiry about a moratorium on the filing of Indiana income tax returns by service people assigned to Afghanistan. The Indiana Department of Revenue is researching its past practice in this area before responding to the inquiry.

Mr. Jackson also reported that construction at the state veterans cemetery started two weeks ago when federal money became available.

Mr. Peek described various problems that soldiers called to active duty have experienced because of delays in sending paychecks home from overseas. He outlined problems with utility disconnections and loans and mortgages in default. Senator Craycraft suggested that this issued be dealt with during the legislative session. Mr. Jackson stated that the Soldiers' and Sailors' Relief Act prevents the foreclosure of a mortgage held by a person on active service in the armed forces. He also reported that there are eight to ten other Indiana statutes protecting military personnel while they are on active service.

Military voting and registration

Mr. Ryan gave the Commission copies of the Final Report of the Indiana Bipartisan Task Force on Election Integrity (Exhibit G). He summarized those parts of the report that address the concerns of the military absentee voter.

Four of the Task Force's recommendations address the concerns of the military community along with those of the general population:

Recommendation 9: That the Election Division be open to developments in technology that will make on-line voter registration more convenient for the voter while maintaining the integrity of the registration process.

Recommendation 11: The use of provisional ballots.

Recommendation 12: The continuing review and codification of statutory rules for determining voter intent and the recount /contest rules as new technologies arise.

Recommendation 13: Through the use of the Internet, increased public resources be dedicated to voter education with a focus on voting systems, voter rights, registration deadlines, polling place location, and candidate information.

Five of the Task Force's recommendations apply specifically to military voters:

Recommendation 18: Follow up on absentee ballot applications that are not properly completed by the requester. Every reasonable effort should be made to contact a voter to obtain the required information.

Recommendation 20: The standardization and improvement of the absentee ballot process for military and overseas citizens and that military and overseas voters receive confirmation that election officials have received their ballots.

Recommendation 21: That military/overseas citizens be allowed to vote by faxed ballots if the voter agrees to waive the right of ballot confidentiality.

Recommendation 22: That Indiana election officials volunteer to participate as a test site for any future Federal Voting Assistance Program involving registration confirmation and status check for military overseas personnel and any future remote voting programs.

Recommendation 23: That county election officials allow recently separated or reassigned service personnel and their families to register to vote after the registration deadline has passed if they provide a copy of their Government Movement Orders showing that they were relocated after the final voting registration deadline but before and including Election Day.

The Commission's final report

The Commission reviewed a draft of its final report (Exhibit H).

Senator Craycraft made a motion, seconded by Representative GiaQuinta, to adopt the draft, as amended to include today's action, as the Commission's final report. The motion passed by a vote of 8-0.

Senator Paul thanked the Commission members and staff for their time and effort.

Senator Paul adjourned the meeting at 2:05 p.m.